

Message Text

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TO AMEMBASSY BONN PRIROITY

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C O N F I D E N T I A L USBERLIN 0350

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GE, GW

SUBJECT: DECEMBER 19 INNER-GERMAN PACKAGE--REICHSBAHN CONSTRUCTION IN
WSB

REF: USBERLIN 285

1. SUMMARY: ALLIED MISSIONSHAVE AGREED TO BEGIN IMPLEMENTING
FEBRUARY 23 SERIES OF COORDINATED STEPS DESIGNED TO ENCOURAGE
REICHSBAHN COMPLIANCE WITH BK/O. SINCE WORK HAS BEGUN ON
ONE TRAIN STATION, PRESS HAS BEGUN TO TAKE NOTE THAT REICHSBAHN
IS ALREADY IN VIOLATION OF ALLIED ORDER. MISSIONS THEREFORE
INTEND TO TELESCOPE INTO NEXT FEW DAYS STEPS WHICH INCLUDE
DISCRETE CONTACTS BETWEEN SENAT AND REICHSBAHN, WEST BERLIN
CONTRACTING FIRMS AND REICHSBAHN, AND ALLIES AND SOVIETS.
OBJECTIVE IS TO PASS MESSAGE IN LOW-KEY WAY THAT ALLIES DO NOT
WISH CONFRONTATION BUT WILL HAVE NO CHOICE BUT TO TAKE COUNTER-
MEASURES IF REICHSBAHN DOES NOT SUBMIT ITS CONSTRUCTION PLANS
FOR APPROVAL. END SUMMARY:

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2. IN ADDITION TO PRESSING SENAT TO MAKE NUMEROUS SMALL PARCELS

OF LAND AVAILABLE FOR CONSTRUCTION AROUND STAAKEN, CHARLOTTENBURG, AND SPANDAU STATIONS AND ON TRACKS BETWEEN SPANDAU AND STAAKEN, REICHSBAHN HAS HAD TWO WEST BERLIN FIRMS WORKING ON WANNSEE STATION FOR LAST WEEK. PRESS HAS ALREADY CARRIED ONE STORY TO EFFECT THAT CONSTRUCTION HAS BEGUN IN VIOLATION OF ALLIES' BK/O(75)15 ORDERING THAT PLANS BE SUBMITTED FOR PRIOR APPROVAL. ALLIED MISSIONS ACCORDINGLY AGREED THAT SENAT SHOULD BE ASKED FEBRUARY 23 TO MAKE POINTS A, C AND D CONTAINED PARA 8 REFTEL TO REICHSBAHN REP AS SOON AS POSSIBLE. POINT B WOULD BE USED BY SENAT IF GDR SHOULD MAKE FURTHER EFFORT TO DISCUSS NEED FOR ADDITIONAL LAND OR ANY OTHER ASPECT OF CONSTRUCTION ON POLITICAL LEVEL. THERE ARE ONLY TWO CHANGES IN THESE POINTS FROM REFTEL. POINT B WOULD HAVE SENAT TELL GDR THAT IF THEY WISH TO RAISE SUBJECT ON POLITICAL LEVEL THEY SHOULD DO SO NOT ONLY THROUGH FRG AND GAUS BUT ALSO "THROUGH THE RUSSIANS TO THE THREE ALLIES." POINT D NOW HAS FOLLOWING ADDITIONAL SENTENCE BEFORE PENULTIMATE SENTENCE:
"THE LEGAL REQUIREMENT CONTINUES TO EXIST THAT CONSTRUCTION PLANS BE APPROVED IN ADVANCE."

3. MISSIONS HAVE ALSO AGREED TO FOLLOWING FURTHER FOUR STEPS:

A. SENAT EMPLOYEE WHO SERVES AS WORKING LEVEL CONTACT BETWEEN ALLIED MISSIONS AND REICHSBAHN WILL REMIND HIS REICHSBAHN CONTACTS INFORMALLY OF NEED TO COMPLY PROMPTLY WITH ESTABLISHED PROCEDURES.

B. SENAT WILL IN NEXT DAY OR SO ASK WEST BERLIN FIRMS INVOLVED WITH CONSTRUCTION TO PASS WORD QUIETLY TO THEIR REICHSBAHN CONTACTS THAT FIRMS ARE CONCERNED THEIR WORKMEN MAY NOT BE ABLE TO CONTINUE ON JOB MUCH LONGER IF REICHSBAHN HAS NOT TAKEN STEPS TO OBTAIN APPROPRIATE APPROVALS.

C. CHAIRMAN POLAD (U.S.) WILL SEEK APPOINTMENT BY MID-WEEK TO TELL SOVIET EMBASSY COUNSELLOR KHOTULEV THAT WHILE NO ONE WISHES DIFFICULTIES TO ARISE, OUR PATIENCE IS NOT INEXHAUSTIBLE, AND WE WILL HAVE TO TAKE ACTION IF REICHSBAHN DOES NOT COMPLY SOON WITH BK/O (75)15.

D. ALLIED AND SENAT OFFICIALS, INCLUDING SEVERAL REPS FROM EACH MISSION, WILL VISIT CONSTRUCTION SITES FEBRUARY 26. WHILE WE DO NOT

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ENVISAGE CONTACTS WITH REICHSBAHN OFFICIALS, VISIT WILL BE NOTED BY REICHSBAHN AND SHOULD BE INTERPRETED AS SIGN OF INCREASED ALLIED INTEREST.

4. ALLIED INTENTION IS THAT BY END OF WEEK GDR WILL HAVE RECEIVED MULTIPLE INDICATIONS THAT ALLIES ARE SERIOUS ABOUT MAINTAINING ESTABLISHED PROCEDURES AND THAT IT WILL THEN PERMIT REICHSBAHN TO PASS

OVER PLANS AT WORKING LEVEL, PERHAPS UTILIZING FACE-SAVING OPPORTUNIT
Y
PROVIDED BY NEED TO GET SENAT HELP IN ACQUIRING ADDITIONAL LAND.
IN EVENT THAT REICHSBAHN DOES NOT BUDGE AND CONSTRUCTION CONTINUES,
PRESENT THINKING IS THAT MISSIONS WOULD THEN CONSIDER RECOMMENDING
TO EMBASSIES THAT SIMPLEST WAY OF COMPELLING ULTIMATE COMPLIANCE
WITHOUT DIRECT CONFRONTATION WOULD BE FOR SENAT TO TELL WEST BERLIN
FIRMS TO HALT CONSTRUCTION UNTIL PLANS ARE APPROVED. OUR HOPE IS
THAT GDR HAS THUS FAR MERELY BEEN TRYING SOME GAMESMANSHIP TO DISCOVE
R
WHETHER IT COULD WITHOUT DIFFICULTY GET OUT FROM UNDER LONG-
STANDING REQUIREMENT OF ALLIED SUPERVISION IN REICHSBAHN AFFAIRS.
(WE KNOW, FOR EXAMPLE, THAT IT HAS BEEN TELLING FIRMS THAT HAVE
ASKED ABOUT ALLIED REQUIRMENTS THAT SUCH THINGS ARE OUT OF DATE.)
IN VIEW OF POSSIBILITY THAT GDR MAY BE PREPARED TO FORCE ISSUE,
HOWEVER, MISSIONS CONSIDERED THAT IT WOULD BE DESIRABLE FOR EMBASSIES
TO APPRISE FRG IN BONN GROUP THAT ALLIES ARE CONCERNED GDR MAYBE TRYI
NG
TO CHANGE ESTABLISHED PROCEDURES,
THAT THIS MIGHT LEAD TO DIFFICULTIES, BUT THAT ALLIES AND SENAT
WERE TAKING STEPS TO ENCOURAGE REICHSBAHN AUTHORITIES TO COMPLY
WITH ESTABLISHED PROCEDURES AS REQUIREMENT FOR EXECUTION OF PROJECT.
WE HAD RAISED FOR CONSIDERATION SUGGESTION THAT FRG BE ASKED TO
PASS QUIET WORD TO GDR THROUGH GAUS AS ONE OF STEPS DESIGNED TO
ENCOURAGE COMPLIANCE, BUT ALLIES CONSIDERED IT PREFERABLE TO KEEP
ACTION IN ALLIED HANDS.

5. IN ADDITION TO POINTS WE HAVE ASKED SENAT TO CONVEY TO REICHSBAHN,

WE HAVE ASKED SENAT TO PROVIDE US DETAILED ANALYSIS OF GDR'S NEW LAND
REQUESTS. AT FIRST GLANCE, REQUESTS APPEAR TO BE RELATED TO CONSTRUCTI
ON
REQUIREMENTS, BUT WHILE ACREAGE INVOLVED IS NOT GREAT LEGAL STATUS
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OF SOME PARCELS IS UNCLEAR. REICHSBAHN INDICATED TO SENAT EXPERTS
IT MUST HAVE LAND BY MARCH 31 IN ORDER TO BEGIN RELEVANT CONSTRUCTION
IN SPANDAU AND CHARLOTTENBURG ON SCHEDULE. SINCE LAND ARRANGEMENTS
MAY TURN OUT TO BE COMPLEX, THERE IS THEREFORE POSSIBILITY
THAT REICHSBAHN'S ENVISAGED SCHEDULE WILL BE DELAYED EVEN IF
REICHSBAHN COMPLIES WITH BK/O. THERE HAS BEEN NO INDICATION,
HOWEVER, THAT REICHSBAHN WILL REQUIRE USE OF ANY ADDITIONAL LAND FOR
WANNSEE STATION. WE HAVE ALSO ASKED SENAT FOR INFORMATION ON PRO-
CEDURES FOR PAYMENT OF AGREED DM 51 MILLION PRICE FOR CONSTRUCTION.
IF SOME OR ALL OF THIS SUM IS NOT TO BE PAID OVER UNTIL PROJECT IS
COMPLETED, GDR'S INCENTIVE FOR AVOIDING TIME-CONSUMING DELAYS
WILL OBVIOUSLY BE GREATER.
GEORGE

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